

Before the  
**TENNESSEE REGULATORY AUTHORITY**

In the Matter of

UNIVERSAL TELECOM, INC.  
Complainant

v.

BELLSOUTH  
TELECOMMUNICATIONS, INC.  
Defendant

Docket No. 01-00613

EXECUTIVE SECRETARY

**RESPONSE TO BELLSOUTH'S  
MOTION TO DEFER CONSIDERATION OF  
UNIVERSAL TELECOM, INC.'s MOTION FOR JUDGMENT ON THE PLEADINGS**

In response to the motion made by BellSouth Telecommunications, Inc. ("BellSouth"), Universal Telecom, Inc. ("Universal Telecom"), by counsel, states as follows.

1. This motion is closely related to Universal Telecom's motion for continuance filed in Case Number 01-00674.

2. Universal Telecom does not object to allowing BellSouth until October 30, 2001, to file its response to Universal Telecom's motion for judgment on the pleadings in Case Number 01-00613. Universal Telecom also does not object to BellSouth's request that the Tennessee Regulatory Authority (the "Authority") defer action on Case Number 01-00613 until the November 6, 2001, agenda conference – provided that, in both instances, Case Number 01-00674 is likewise not heard until November 6.

4. The parties just became aware that there are *two* cases involving the issues in dispute: Case Number 01-00613 and Case Number 01-00674.

5. Although BellSouth's motion requests that the Authority defer action only in Case Number 01-00613, in a subsequent telephone call between Edward T. Depp, counsel to Universal Telecom, and Guy M. Hicks, counsel to BellSouth, it was agreed that because the

same issues are central to both cases, the cases should, in the interests of fairness and efficiency, be addressed at the same conference.

6. Therefore, Universal Telecom respectfully requests that the Authority defer action on both this case and Case Number 01-00674 until the November 6, 2001, agenda conference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Blade", written over a horizontal line.

Michael J. Blade  
**DINSMORE & SHOHL LLP**  
Suite 1100  
NationsBank Plaza  
Nashville, TN 37219

John E. Selent  
Edward T. Depp  
**DINSMORE & SHOHL LLP**  
2000 Meidinger Tower  
462 South Fourth Avenue  
Louisville, KY 40202

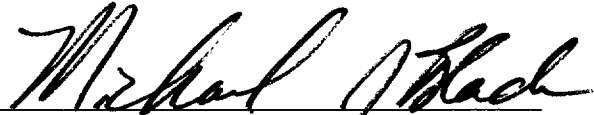
**COUNSEL TO UNIVERSAL TELECOM, INC.**

## CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served via first class United States mail, this 17<sup>th</sup> day of October, 2001, on:

Guy M. Hicks  
BellSouth Telecommunications, Inc.  
333 Commerce Street  
Suite 2101  
Nashville, TN 37201-3300

R. Douglas Lackey  
Patrick W. Turner  
BellSouth Telecommunications, Inc.  
675 W. Peachtree St.  
Suite 4300  
Atlanta, GA 30375



Michael J. Blade  
**DINSMORE & SHOHL LLP**  
Suite 1100, NationsBank Plaza  
414 Union Street  
Nashville, TN 37219  
(615) 313-3300

John E. Selent  
Edward T. Depp  
**DINSMORE & SHOHL LLP**  
2000 Meidinger Tower  
462 South Fourth Avenue  
Louisville, KY 40202  
(502) 540-2300

**COUNSEL TO UNIVERSAL TELECOM, INC.**